

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

VFS LEASING CO.,)
)
PLAINTIFF,) CIVIL ACTION NO.: 3:06CV638-SRW
VS.)
)
G. F. KELLY, INC d/b/a KELLY)
TRUCKING; and GUY KELLY,)
)
DEFENDANTS.)

MOTION TO EXTEND DEADLINES FOR REPLIES TO MOTIONS TO STRIKE

Come now the Defendants G. F. Kelly, Inc. D/b/a Kelly Trucking and Guy Kelly and move the court to extend the deadlines for both parties to reply to Motions to Strike. As grounds for this motion, Defendants state as follows:

1. Plaintiff filed a Motion to Strike on April 30, 2007 and Defendants filed two Motions to Strike on May 2, 2007.

2. The Court issued Orders on May 2, 2007 allowing each party to respond to the other's motion by May 7, 2007.

3. The parties are in the middle of settlement negotiation and believe that the prospects are good for reaching a settlement in the next few days. The parties would like to avoid the expense of filing responses to the pending motions. **It is requested that the deadline for each party to respond to the Motions to Strike be extended to May 14, 2007.** No further extensions will be requested and responses will be filed if settlement is not reached.

/s/James H. Starnes

James H. Starnes, Attorney for Defendants

OF COUNSEL:

P. O. Box 590003
Birmingham, AL 35259-0003
(205) 320-0800

MOTION DENIED as Moot.

THIS 16th DAY OF May, 2007

UNITED STATES MAGISTRATE JUDGE